

Introduced by Senator Murray

February 21, 2003

An act to amend the heading of Article 14 (commencing with Section 111222) of Chapter 5 of Part 5 of Division 104 of, to amend Section 111222 of, and to add Sections 111224 and 113995.6 to, the Health and Safety Code, relating to food labeling and safety.

LEGISLATIVE COUNSEL'S DIGEST

SB 773, as introduced, Murray. Food labeling and safety.

(1) The California Uniform Retail Food Facilities Law establishes uniform health and sanitation standards for retail food facilities as defined. This law requires the State Department of Health Services to adopt regulations to implement and administer those provisions, and delegates primary enforcement duties to local health agencies. A violation of any of these provisions is punishable as a misdemeanor.

This law permits the sale of Korean rice cakes that have been at room temperature for no more than 24 hours and requires manufacturers of Korean rice cakes to comply with certain labeling requirements.

This bill would permit the sale of Korean rice rolls that have been at room temperature for no more than 6 hours. This bill would require a food establishment that sells Korean rice rolls to, after 6 hours, destroy the rice rolls in a manner approved by the local enforcement agency.

(2) The Sherman Food, Drug, and Cosmetic Act contains various provisions regarding the packaging, labeling, and advertising of food, drugs, and cosmetics. A violation of any of these provisions is punishable as a misdemeanor.

This act and the California Uniform Retail Food Facilities Law require manufacturers of Korean rice cakes, as defined, to indicate on the label the date of manufacture of the rice cakes.

This bill would amend both the Sherman Food, Drug, and Cosmetic Act and the California Uniform Retail Food Facilities Law to require all manufacturers of Korean rice rolls, as defined, to place labels on the packaging of the rice rolls that indicate the time and date of manufacture.

(3) By expanding the definitions of certain crimes, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The heading of Article 14 (commencing with
2 Section 111222) of Chapter 5 of Division 104 of the Health and
3 Safety Code is amended to read:

4
5 Article 14. Korean Rice Cakes *and Korean Rice Rolls*
6

7 SEC. 2. Section 111222 of the Health and Safety Code is
8 amended to read:

9 111222. For purposes of this article, ~~a~~ *the following*
10 *definitions apply:*

11 (a) “Korean rice cake” ~~is defined as~~ *means* a confection that
12 contains rice powder, salt, sugar, various edible seeds, oil, dried
13 beans, nuts, dried fruits, and dried pumpkin. The ingredients may
14 not include any animal fats or any other products derived from
15 animals. A Korean rice cake is prepared by using a traditional
16 Korean method that includes cooking by steaming at not less than
17 275 degrees Fahrenheit, for not less than five minutes, nor more
18 than 15 minutes.

19 (b) “Korean rice roll” *means a confection that contains dried*
20 *seaweed, cooked rice, vinegar, cooked vegetables, salt, sugar,*
21 *cooked tofu, pickled vegetables, and, in some instances, cooked*
22 *fish cake and various edible seeds.*



1 SEC. 3. Section 111224 is added to the Health and Safety
2 Code, to read:

3 111224. All manufacturers of Korean rice rolls shall label on
4 the packaging of a rice roll the date and time that it was
5 manufactured.

6 SEC. 4. Section 113995.6 is added to the Health and Safety
7 Code, to read:

8 113995.6. (a) For the purposes of this article, “Korean rice
9 roll” means a confection that contains dried seaweed, cooked rice,
10 vinegar, cooked vegetables, salt, sugar, cooked tofu, pickled
11 vegetables, and, in some instances, cooked fish cake and various
12 edible seeds.

13 (b) Notwithstanding Sections 113995 and 114315 and, if
14 permitted by federal law, a food establishment may sell Korean
15 rice rolls that have been at room temperature for no more than six
16 hours.

17 (c) After six hours, a Korean rice roll that has been at room
18 temperature shall be destroyed in a manner approved by the local
19 enforcement agency.

20 (d) All manufacturers of Korean rice rolls shall place a label on
21 the packaging of the rice roll as prescribed by Section 111224.

22 SEC. 5. No reimbursement is required by this act pursuant to
23 Section 6 of Article XIII B of the California Constitution because
24 the only costs that may be incurred by a local agency or school
25 district will be incurred because this act creates a new crime or
26 infraction, eliminates a crime or infraction, or changes the penalty
27 for a crime or infraction, within the meaning of Section 17556 of
28 the Government Code, or changes the definition of a crime within
29 the meaning of Section 6 of Article XIII B of the California
30 Constitution.